

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Gary L. Perry, on February 9, 2009 at 10:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Gary L. Perry, Chairman (R)
Sen. Jim Shockley, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. John Esp (R)
Sen. Greg Hinkle (R)
Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)
Sen. Jesse Laslovich (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)

Members Excused: Sen. Larry Jent (D)

Members Absent: None.

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: SB 87-Tabled, SB 250-Tabled, SB 288-Do Pass As Amended, Motion Withdrawn

EXECUTIVE ACTION ON SB 87

00:02:59 **Motion:** Sen. McGee moved that **SB 87 DO PASS.**

00:03:14 **Motion/Vote:** Sen. Laslovich moved that **SB 87 BE AMENDED.**
Motion that SB 87 **BE AMENDED** carried unanimously by voice
vote. Sen. Jent voted by proxy.

EXHIBIT(jus30a01)

00:06:27 **Motion:** Sen. Laslovich moved that **SB 87 DO PASS AS
AMENDED.**

Discussion:

00:07:30 Sen. McGee
00:09:55 Sen. Shockley
00:10:42 Sen. Moss
00:12:03 Sen. Hinkle

00:13:06 **Substitute Motion:** Sen. Laslovich made a substitute
motion that **SB 87 BE TABLED.** Motion carried by roll
call vote 9-3 with Sen. Esp, Sen. Shockley and Sen.
Perry voting no. Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 250

00:15:00 **Motion:** Sen. Laslovich moved that **SB 250 DO PASS.**

Discussion:

00:15:21 Sen. Hinkle
00:15:47 Sen. Laslovich
00:16:06 Sen. Shockley
00:17:06 Sen. Perry
00:17:15 Cory Swanson, The Collegiate Licensing Services
00:18:49 Sen. Larsen
00:19:36 Sen. Shockley
00:19:55 Sen. Curtiss
00:20:31 Sen. Perry
00:21:26 Mr. Swanson
00:23:23 Sen. McGee
00:24:37 Sen. Hinkle
00:25:59 Sen. Perry
00:26:13 Mr. Swanson
00:30:08 Sen. Larsen
00:31:46 Sen. Shockley

00:31:56 **Vote:** Motion that **SB 250 DO PASS** failed 5-7 by roll call vote with Sen. Jent, Sen. Larsen, Sen. Laslovich, Sen. Moss, and Sen. Murphy voting aye. Sen. Jent voted by proxy.

00:33:12 **Motion:** Sen. Shockley moved that **SB 250 BE TABLED AND THE VOTE REVERSED**. Motion Carried. Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 288

00:34:35 **Motion:** Sen. Hinkle moved that **SB 288 DO PASS**.

00:35:08 **Motion/Vote:** Sen. Hinkle moved that **SB 288 BE AMENDED**. Motion that **SB 288 BE AMENDED** carried 7-5 by roll call vote with Sen. Jent, Sen. Juneau, Sen. Larsen, Sen. Laslovich, and Sen. Moss voting no. Sen. Jent voted by proxy.

EXHIBIT(jus30a02)

00:38:44 **Motion:** Sen. Shockley moved that **SB 288 DO PASS AS AMENDED**.

Discussion:

00:38:54 Sen. Perry
00:39:09 Valencia Lane, Legislative Services Division
00:39:32 Sen. Juneau
00:40:28 Sen. Moss
00:41:32 Sen. Esp
00:42:37 Sen. Perry
00:42:52 Sen. McGee

(Sen. Jent entered room.)

00:45:37 Sen. Hinkle
00:47:29 Sen. Perry
00:47:41 Sen. Hinkle
00:49:29 Sen. Shockley
00:49:50 Sen. Larsen
00:51:12 Sen. Shockley
00:51:26 Sen. Curtiss
00:53:19 Sen. Shockley
00:53:49 Sen. Jent
00:56:05 Sen. McGee
00:58:08 Sen. Perry

00:58:32 Sen. Shockley requested that his **SB 288 DO PASS AS AMENDED MOTION be WITHDRAWN**. Request granted by Chairman Perry.

EXECUTIVE ACTION ON SB 221

00:59:19 Sen. Esp
(no action taken.)

EXECUTIVE ACTION ON SB 263

01:00:00 Sen. Shockley
(no action taken.)

EXECUTIVE ACTION ON SB 298

01:00:27 Sen. Perry
01:00:53 Sen. Laslovich
(no action taken.)

01:01:49 Sen. McGee
01:02:19 Sen. Esp

Distributed to the Committee Members for SB 285 heard 2/5/09:
[EXHIBIT\(jus30a03\)](#)

01:04:25 Sen. Laslovich
01:06:03 Sen. Juneau
01:06:42 Sen. Perry
01:07:37 Sen. Shockley
01:08:15 Sen. Perry
01:09:24 Sen. Moss

Distributed to the Committee Members for SB 221 heard 1/23/09:
[EXHIBIT\(jus30a04\)](#)
[EXHIBIT\(jus30a05\)](#)

Distributed to the Committee Members for SB 236 heard 2/4/09:
[EXHIBIT\(jus30a06\)](#)

Distributed to the Committee Members for SB 285 heard 2/5/09:
[EXHIBIT\(jus30a07\)](#)

ADJOURNMENT

Adjournment: 11:14 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT ([jus30aad.pdf](#))